

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

JOHN LOFTUS, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

OUTSIDE INTEGRATED MEDIA, LLC,

Defendant.

Case No. 2:21-cv-11809-MAG-
DRG

Hon. Mark A. Goldsmith

Mag Judge David R. Grand

PLAINTIFF'S MOTION

**UNOPPOSED MOTION FOR LEAVE TO FILE ENLARGED BRIEF IN
SUPPORT OF PLAINTIFF'S UNOPPOSED MOTION FOR
ATTORNEYS' FEES, COSTS, EXPENSES, AND SERVICE AWARD**

The undersigned counsel certifies that counsel communicated with opposing counsel, via email on Friday, June 24, 2022, explaining the nature of the relief to be sought by way of this Motion and seeking concurrence in the relief; Defendant's counsel responded that they do not oppose this Motion and the relief requested herein.

Plaintiff John Loftus ("Plaintiff"), through his counsel, hereby moves the Court for leave to file an enlarged brief, not to exceed 33 pages, in support of his Unopposed Motion for Attorneys' Fees, Costs, Expenses, and Service Award. In support of this Motion, Plaintiff states as follows:

1. As set forth in Plaintiff's forthcoming Unopposed Motion for Attorneys' Fees, Costs, Expenses, and Service Award, work performed by counsel for Plaintiffs has produced a direct benefit to the Class here, related to the Michigan Preservation of Personal Privacy Act, against Defendant Outside Integrated Media, LLC ("Defendant").

2. Plaintiff has made his greatest effort to keep his brief in support as succinct as possible. However, Plaintiff believes in good faith that the filing of a brief in excess of 25 pages is necessary to fully and effectively demonstrate the benefit that has been provided to the class, to discuss the reasonableness of the requested fee, and to discuss relevant Sixth Circuit precedent. *See* E.D. Mich. LR 7.1(d)(3)(A). As such, Plaintiff's forthcoming Unopposed Motion for Attorneys'

Fees, Costs, Expenses, and Service Award will be a maximum of 33 pages in length, inclusive of signatures.

3. **Compliance with Local Rule 7.1(d)(3):** I, E. Powell Miller, certify that this document complies with Local Rule 5.1(a), including: double-spaced (except for quoted materials and footnotes); at least one-inch margins on the top, sides, and bottom; consecutive page numbering; and type size of all text and footnotes that is no smaller than 10-1/2 characters per inch (for non-proportional fonts) or 14 point (for proportional fonts). I also certify that it is the appropriate length. Local Rule 7.1(d)(3).

WHEREAS, Plaintiff respectfully requests that the Court enter an Order granting him leave to file an enlarged brief, not to exceed 33 pages, in support of his Unopposed Motion for Attorneys' Fees, Costs, Expenses, and Service Award.

Dated: June 24, 2022

Respectfully submitted,

By: /s/ E. Powell Miller
One of Plaintiff's Attorneys

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Proposed Class Counsel

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PLAINTIFF'S BRIEF

**BRIEF IN SUPPORT OF UNOPPOSED MOTION FOR
LEAVE TO FILE ENLARGED BRIEF IN SUPPORT OF
PLAINTIFF'S UNOPPOSED MOTION FOR
ATTORNEYS' FEES, COSTS, EXPENSES, AND SERVICE AWARD**

Plaintiff, by and through his undersigned attorney, and in support of his Unopposed Motion For Leave to File Enlarged Brief in support of Plaintiff's Unopposed Motion for Attorneys' Fees, Costs, Expenses, and Service Award, relies on the contents of Plaintiff's Motion.

Dated: June 24, 2022

Respectfully submitted,

By: /s/ E. Powell Miller
One of Plaintiff's Attorneys

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Proposed Class Counsel

CERTIFICATE OF SERVICE

I, E. Powell Miller, an attorney, hereby certify that on June 24, 2022, I served the above and foregoing on all counsel of record by filing it electronically with the Clerk of the Court using the CM/ECF filing system.

/s/ E. Powell Miller

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